

REMARKS

Claims 21-40 are pending in this application. By this Amendment, claim 28 has been canceled, claim 32 has been amended, and claims 41-43 have been added

I. Allowable Subject Matter

The Office Action indicated that claims 26, 27, 38 and 39 are allowable over the prior art. Claims 29-31 have been amended to depend from allowed claim 39 and are also allowable.

II. Rejection Under §112

“The gland” in line 1 of claim 32 has been changed to “A gland” to overcome the rejection under §112.

III. Rejection Under §102 - Ulrich

The Office Action rejected claim 40 as being anticipated by U.S. Patent No. 6,471,255 to Ulrich. Applicant respectfully points out that the Ulrich patent is not prior art to the present application. The present application is a continuation of U.S. patent application serial number 09/097,379, now U.S. Patent Number 6,623,047, filed on June 15, 1998. The application which matured into the Ulrich patent was not filed until March 13, 2000. Claim 40 is in condition for allowance.

III. Rejection Under §102 - Benjamin

The Office Action rejected claims 32-34 as being anticipated by U.S. Patent No. 4,254,973 to Benjamin.

As amended, claim 32 features a gland for use in a coupling assembly with a sealing end face. A raised annular sealing bead and a frictional surface are defined on the sealing face. The frictional surface comprises a radially extending band located radially outward of the raised

annular sealing bead. The sealing bead forms a sealing surface and the frictional surface forms an anti-rotation surface. The sealing surface and the anti-friction surface are generally co-planar upon engagement with a sealing gasket. The amendment to claim 32 does not add new matter. Figures 1 and 2 show a frictional surface that comprises a radially extending band located radially outward of the raised annular sealing bead.

Amended claim 32 is not anticipated by Benjamin, because claim 32 includes features that are not disclosed by Benjamin. For example, Benjamin does not disclose a frictional surface that comprises a radially extending band located radially outward of a raised annular sealing bead that is generally coplanar with the sealing bead. Claim 32 is in condition for allowance.

Claims 33 and 34 depend from claim 32 and are also in condition for allowance.

III. Rejection Under §103 - Babuder in view of Benjamin

The Office Action rejected claims 21-24 and 32-37 as being unpatentable over U.S. Patent No. 5,145,219 in view of U.S. Patent No. 4,254,973 to Benjamin.

Claim 21

As Applicant pointed out in response to the previous Office Action, independent claim 21, recites a sealing surface, defined as the portion of the gasket that comes in contact with the sealing bead, and an anti-rotation surface, defined as the portion of the gasket that contacts the frictional surface of the tubular members. Independent claim 21, as amended, further recites that the sealing surface and the anti-rotation surface are co-planar upon assembly of the coupling.

The Office Action asserts that it would have been obvious to “provide the anti-rotation surfaces 24, 42 of Babuder to be coplanar with sealing beads 30, 44 such as taught by Benjamin...” Office Action, pages 5-6. However, in Babuder the anti-rotation surfaces 24, 42

and sealing beads 30, 44 are part of the tubular members 12, 14, not the gasket as recited by claim 21. The Office Action does not present an argument that the Babuder gasket 60, which clearly has anti-rotation and sealing surfaces that are not coplanar, should be modified. Applicant respectfully submits that the Office Action fails to establish prima facie obviousness, because the Office Action does not address a gasket that includes a sealing surface and an anti-rotation surface that are co-planar upon assembly of a coupling. Claim 21 is in condition for allowance.

Claims 22-24 depend from claim 21 and are also in condition for allowance.

Claim 32

Amended claim 32 is not obvious over Babuder in view of Benjamin, because claim 32 includes features that are not disclosed or suggested by Babuder or Benjamin. For example, Babuder and Benjamin do not disclose or suggest a frictional surface that comprises a radially extending band located radially outward of a raised annular sealing bead that is generally coplanar with the sealing bead. Claim 32 is in condition for allowance.

III. Conclusion

Based on the foregoing remarks and amendments, Applicant believes that all of the claims in this case are now in condition for allowance and an indication to that effect is respectfully requested. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



Kenneth J. Smith

Reg. No. 45,115

Telephone: 216.622.8674